

REMARKS

Applicants respectfully request reconsideration of the rejections in view of the foregoing amendments and following remarks.

Claim Status

Claims 1–10 stand rejected under 35 U.S.C. § 101 as being directed toward non-statutory subject matter. Claims 13–15 and 17–20 stand rejected under 35 U.S.C. § 112 second paragraph as being indefinite. Claims 11, 12, 16, and 21–40 are allowed. Examiner concluded that claims 13–15 and 17–20 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 112 second paragraph.

Applicants cancel claims 1–10. Applicants amend claims 13–14, 17–18, and 20. Claims 11–40 remain pending.

Rejections Under 35 U.S.C. § 101

Claims 1–10 stand rejected under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. In order to expedite prosecution, Applicants cancel claims 1–10. Applicants note, however, that *In re Nuijten*, 2006-1371, Serial No. 09/211,928, (C.A.F.C. September 20, 2007) may be reversed by the Supreme Court of the United States, and reserve the right to file a continuation should the C.A.F.C. decision, which holds a transitory propagating signal unpatentable, be reversed.

Rejections Under 35 U.S.C. § 112 Second Paragraph

Claims 13–15 and 17–20 stand rejected under 35 U.S.C. § 112 second paragraph as being indefinite. Applicants amend claims 13–14, 17–18, and 20 to overcome the rejections under § 112

second paragraph. As such, Applicants request that the rejection of claims 13–15 and 17–20 under § 112 second paragraph be withdrawn.

Conclusion

For the reasons stated above, Applicants respectfully submit that the application is in condition for allowance. In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this document. However, in the event that additional extensions of time are necessary to allow consideration of this document, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Conley Rose, P.C.'s Deposit Account No. 03-2769/2120-02700/HTDC.

Respectfully submitted,

/Tim D. Chheda/
Tim D. Chheda
Reg. No. 60,752

Attorney for Applicants
Conley Rose, P.C.
P.O. Box 3267
Houston, Texas 77253-3267
Ph: (713) 238-8000